IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 19808 of 1994

Between:

1 Vempati Venkatarao, S/o Rathaiah,
R/o Purushothapatnam, Seethanagaram (M),
E.G.Dist.
2 Nagulapati Dhanalaxmi, w/o Venkatarama Rao,
R/o Purushothapatnam, E.G.Dist.
3 Sode Posamma, W/o Late Subbanna Dora
Gonduru, Devipatnam (M),
E.G.Dist.
4 Saladi Chakrapani, W/o Suryanarayana,
Gonduru, Devipatnam (M),
E.G.Dist.
5 Balla Somaraju, S/o Gangaraju,
Angaluru, Devipatnam (M),
E.G.Dist.
6 Nadipudi Suryanarayana Reddi, S/o Laxma Reddy,
Kondamedala, Devipatnam (M),
E.G.Dist.
7 Valla Nanamma (Minor) D/o Krishna Reddy,
Nelaota, Devipatnam (M),
E.G.Dist. (Rep by natural gardian and father Krishna Murthy)
8 Kode Bathula China Ramarao, S/o Pedda Dorayya,
R/o Ramachandrapuram, Seethanagaram (M),
E.G.Dist.

.....PETITIONER(S)

AND

1 Branch Manager,
Indian Bank, Purushothapatnam,
Seethanagaram (M), E.G.Dist
2 Regional Manager,
Indian Bank, Visakhapatnam.
3 Zonal Manager,
Indian Bank, Opp: Secretariat Buildings,
Hyderabad.

4 Chairman & Managing Director,
Indian Bank, Head Office: Rajaji Road,
Madras.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue WRIT OF MANDAMUS or any other appropriate WRIT, order or direction directing the respondents to continue the Branch of the Indian Bank at Purushothapatnam in Seethanagaram (M), E.G.Dist.

For the Petitioners:MR.M.LAKSHMANA SARMA , Advocate

For the Respondents : MR.P.R.PRASAD, Standing Counsel

The Court Made the Following :

ORDER :

The petitioners are the residents of Purushothapatnam village in Seethanagaram of East Godavari District. The Indian Bank has opened a Branch at the said village. Subsequently when it was sought to be shifted out of the village, the petitioners filed the present writ petition. Though the writ petition was admitted on 7-11-1994, this Court did not pass any interim order.

It is now submitted by the learned counsel for petitioners, Sri M.Lakshmana Sarma, that the bank has already been shifted. In that view of the matter nothing survives for adjudication. Even otherwise, it is well settled that unless and until the petitioners have an enforceable right, no writ would lie.

The writ petition is therefore, dismissed as infructuous. No costs.

17-06-2004.
Msr.

ASSISTANT
REGISTRAR

// TRUE COPY //

SECTION OFFICER

To
1 Branch Manager,
Indian Bank, Purushothapatnam,
Seethanagaram (M), E.G.Dist
2 Regional Manager,
Indian Bank, Visakhapatnam.
3 Zonal Manager,

Indian Bank, Opp: Secretariat Buildings, Hyderabad.

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HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.19808 of 1994

Dt.17-06-2004.

(Msr)